

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
WESTERN DIVISION

UNITED STATES OF AMERICA,)	CASE NO.: 3:21CV22
)	
Plaintiff,)	JUDGE JACK ZOUHARY
)	
v.)	
)	
SHAFFER PHARMACY, INC.; THOMAS)	<u>JOINT STIPULATION OF FACTS</u>
TADSEN; AND WILSON BUNTON,)	
)	
Defendants.)	

Plaintiff United States of America and Defendants Shaffer Pharmacy, Inc.; Thomas Tadsen; and Wilson Bunton (hereinafter collectively referred to as “the parties”), by and through undersigned counsel, hereby stipulate to the following facts for purposes of the preliminary injunction hearing scheduled on January 27, 2021, at 9:30 a.m.

1. Shaffer Pharmacy, Inc., is an Ohio for-profit corporation, that operates a retail pharmacy with a principal place of business at 3900 Sunflower Court, Toledo, Ohio 43623.

2. Thomas J. Tadsen is the owner-operator and pharmacist in charge of Shaffer Pharmacy, Inc. He has owned Shaffer Pharmacy, Inc., since 1979.

3. Wilson J. Bunton is a pharmacist at Shaffer Pharmacy, Inc. He has been employed as a pharmacist at Shaffer Pharmacy, Inc., since October 2017.

4. Shaffer Pharmacy Inc., is registered with the U.S. Drug Enforcement Administration (“DEA”) as a retail pharmacy under registration number AS8550243 and holds pharmacy license number 020157850 in the state of Ohio.

5. Shaffer Pharmacy, Inc. uses a pharmacy management software called “RX30.”

6. Prescription data, including patient name, prescription fill date, drug name, DEA drug class, quantity dispensed, drug strength, prescriber's name, pharmacist initials, payment type, patient's international classification of diseases ("ICD")-10 code, and directions for the prescription is maintained in RX30.

7. The attached exhibit, labeled Joint Exhibit 1, is a true and accurate list of controlled substance drug prescriptions found in the RX30 data for Shaffer Pharmacy, Inc., for the top 20 Shaffer Pharmacy, Inc. customers, based on the total number of controlled substance schedule II, III, and IV prescriptions filled from March 14, 2015, through April 1, 2020.

8. Joint Ex. 1 shows the prescription fill date, the Medicare beneficiary's (ie: patient's) initials, the pharmacist's initials who filled the prescription, the prescription drug name, and the DEA controlled substance schedule for the top 20 Shaffer Pharmacy, Inc. customers.

9. The initials "TJT" on Joint Ex. 1 represent Thomas J. Tadsen; the initials "WJB" on Joint Ex. 1 represent Wilson J. Bunton.

Respectfully submitted,

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